

**ENTERED**

March 21, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

ALPHA K9 PET SERVICES, ET AL.,                   §  
Plaintiff,   §  
   §

VS.   §   CIVIL ACTION NO. B-15-095  
   §  
   §

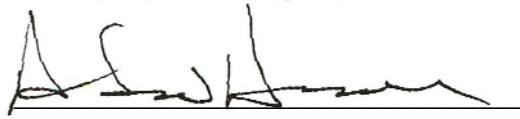
JEH JOHNSON, ET AL.,                           §  
Defendants.   §

**ORDER**

On February 3, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 24]. No objections have been lodged by either side and the time for doing so has expired.

Having reviewed the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby partially adopted. The Court, without expressing an opinion as to its correctness, does not adopt the discussion regarding the need for notice and comment. This matter may be fully disposed of without the necessity of reaching that issue. Therefore, the motion to dismiss [Doc. No. 9] filed by the Defendants is granted, and the case is dismissed without prejudice for lack of standing, or, alternatively, with prejudice for failure to state a claim upon which relief can be granted.

Signed this 21<sup>st</sup> day of March, 2016.



Andrew S. Hanen  
United States District Judge